

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JONATHAN T. BROWN,

Defendant.

8:12CR305

ORDER

Defendant has moved to continue the trial currently set for February 26, 2013. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue is granted.
- 2) The bench trial of this case is set to commence before the Honorable John M. Gerrard, United States District Judge, in the Special Proceedings Courtroom of the United States Courthouse, Omaha, Nebraska, at 9:00 a.m. on April 23, 2013, or as soon thereafter as the case may be called, for a duration of one trial day.
- 3) Based upon the showing set forth in the defendant's motion and the representations of counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the additional time arising as a result of the granting of the motion, the time between today's date and April 23, 2013, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7).

Dated this 19th day of February, 2013.

BY THE COURT:

s/ John M. Gerrard
United States District Judge